

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 3, 1999 LB 40

Mr. President, next bill this morning, LB 40, introduced by Senator Brashear. (Read title.) Bill was introduced on January 7, referred to the Judiciary Committee. Bill was advanced to General File. I do have committee amendments pending, Mr. President.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. The Chair recognizes Senator Brashear to open on LB 40.

SENATOR BRASHEAR: Mr. President, members of the body, Legislative Bill 40 is, in fact, a law and order bill. Its purpose is to increase the criminal penalties for the crime of being an accessory. It does that. I will suggest to you that the committee amendment is the bill, not the green copy itself. The committee amendment reflects the usual give and take of legislating and accommodating the various points of view and interests of all concerned. I will tell you that this represents the work of your Judiciary Committee, with all seven members present and voting to bring this bill to you. And I'm going to urge its advancement. I'm going to go on, with the permission of the Chair, and speak about the amendment now, and we'll save that time later, unless I need a little bit of it.

PRESIDENT MAURSTAD: Chair recognizes Senator Brashear to open on the committee amendments. (See AM0095 on page 407 of the Legislative Journal.)

SENATOR BRASHEAR: Thank you, Mr. President, members of the body. The committee amendments, in essence, we are increasing the penalty for being an accessory under certain sections of the Statute 28-204. And I would invite your attention to the handout which has been circulated to you on the floor of the body. If you will look, we have given you the grade of the underlying offense. The underlying offense means the crime which the perpetrator committed or is alleged to have committed. Then we give you the current law, then we give you what the committee amendment, AM0095, will do, and how we've changed the penalty for being an accessory. You are an access...if you are an accessory to a Class I felony, you can be charged with a Class III felony. If you are an accessory to a Class II felony, you can be charged with a Class IIIA felony. If you are an